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DATE: December 12, 2003

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TO: Examiner Celia C. Chang
FAX NO.: (703) 872-9306

FROM: William Hare

RE: Patent Application Serial No.: 10/009,230

Applicants: Kumar et al.

Docket No.: RLL-159US

Group Art Unit: 1625

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RLL-159US

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTERApplicant: KUMAR *et al.*

Examiner: Celia C. Chang

DEC 12 2003

Application No.: 10/009,230

Group Art Unit: 1625

Filing Date: 05/17/2002

Title: **AMORPHOUS FORM OF FEXOFENADINE HYDROCHLORIDE**Certificate of Facsimile

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on December 12, 2003.

Typed or printed name of person signing this certificate:

Signature: William D. Hare

Assistant Commissioner for Patents
Washington, D.C. 20231

Applicants filed a Response to Office Action Dated June 9, 2003 by facsimile on December 9, 2003. This response included a written request for a three month extension of time and an authorization to charge the deposit account for any fees due. Applicants submit that the request and authorization in the response completely satisfy the requirements of MPEP 710.02(e), which states that the requirements of 37 CFR 1.136(a)(3) for obtaining an extension of time are satisfied and timely when the Applicants include "an authorization to charge all required fees, fees under 37 CFR 1.17, or all required extension of time fees" because such request will be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under 37 CFR 1.136(a).

Nonetheless, the Examiner has brought to the attention of the Applicants the possibility that the request may be overlooked. At the request of the Examiner and merely to prevent confusion should the timely filed request be overlooked, Applicants are submitting this cover letter and the attached Petition for Extension of Time. This petition should be matched with the Response to Office Action Dated June 9, 2003 and, as requested in the response, all required fees should be charged to the deposit account listed in the response (Deposit Account 50-0912).

Respectfully submitted,

By: William D. Hare
William D. Hare
Reg. No. 44,739

Date: December 12, 2003
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**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
(Large Entity)**Docket No.
RLL-159USIn Re Application Of: **Kumar et al.**Serial No.
10/009,230Filing Date
05/17/2002Examiner
Celia C. ChangGroup Art Unit
1625

Invention:

AMORPHOUS FORM OF FEXOFENADINE HYDROCHLORIDE**TO THE COMMISSIONER FOR PATENTS:**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of 06/09/2003 above-identified application.
Date

The requested extension is as follows (check time period desired):

☐ One month ☐ Two months ☒ Three months ☐ Four months ☐ Five months

from: September 9, 2003
Dateuntil: December 9, 2003
DateThe fee for the extension of time is **\$950** and is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **50-0912**
☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-0912**


SignatureDated: **December 12, 2003****William D. Hare**
Reg. No. 44,739**Ranbaxy Pharmaceuticals Inc.**
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I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:

P12LARGE/REV08